

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.7038 of 1996

DATED: 22.03.2006

Between:

J.S.Venkateswara Rao and another. ... petitioners.

And

The Collector, Land Acquisition Officer,

Visakhapatnam

And others. ... respondents.

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.7038 of 1996

ORDER: (On being mentioned)

This writ petition is filed with a prayer to declare the action of the respondents in interfering with the peaceful possession and enjoyment of the petitioners over the land of Ac.2.10 cents in Survey No.135/1A/2 of Duvvada village of Gajuwaka mandal of Vishakhapatnam district, without initiation of proceedings under relevant provisions of law.

Petitioners contend that the respondents are trying to take possession of their land without issuing any notification under the Land Acquisition Act.

Heard the learned counsel for the petitioner and the learned Government Pleader for Land Acquisition.

It is reported by the learned counsel for the petitioners that during the pendency of the writ petition, the respondents issued a notification dated 10.6.2000 under Section 4(1) of the Land Acquisition Act proposing to acquire the land of Ac.2.10 cents in Survey No.135/1A/A2. In that view of the matter, petitioners do not have the necessity to pursue this writ petition. If they feel aggrieved by the notification issued under Section 4(1) of the Land Acquisition Act, they can prosecute their remedies in properly constituted proceedings.

Hence, the writ petition is dismissed as infructuous leaving it open to the petitioners to prosecute the remedies against the notification issued under Section 4(1) of the Land Acquisition Act in relation to the land in survey No.135/1A/A2.

22.3.2006.

mdaa.